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HOUSE OF REPRESENTATIVES

REPORT
99-13

PROVIDING FOR THE ESTABLISHMENT OF THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

FEBRUARY 28, 1985.—Referred to the House Calendar and ordered to be printed

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Mr. PEPPER, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 22]

The Committee on Rules, having had under consideration House Resolution 22, report the same to the House with the recommendation that the resolution do pass.

BACKGROUND AND LEGISLATIVE HISTORY

The Select Committee on Narcotics Abuse and Control was first established on July 29, 1976, with the passage of House Resolution 1350 and it has been reconstituted by the House in each succeeding Congress. The Select Committee was most recently authorized by House Resolution 49 on February 8, 1983. That authority expired at the end of the 98th Congress and House Resolution 22 proposes continuation of the Select Committee for the 99th Congress. The jurisdiction and authority granted by House Resolution 22 is substantially the same as that granted by the previous resolution. The Select Committee is composed of 25 members, appointed by the Speaker. In the 98th Congress, House Resolution 49 required that the membership of the Select Committee include at least one member from each of eight specified standing committees: Agriculture, Armed Services, Energy and Commerce, Foreign Affairs, Government Operations, Judiciary, Merchant Marine and Fisheries, and Ways and Means. House Resolution 22 specifies that in addition to the eight standing committees mentioned, a member of the Veterans' Affairs Committee is also to be appointed as a member of the Select Committee.

The Select Committee was created to study and review the problems of narcotics, drug and poly drug abuse and control in the United States and narcotics trafficking of a national and international nature. Drug abuse has reached epidemic proportions in the

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United States and international illicit drug trafficking shows no signs of abatement. The Select Committee provides a forum for comprehensive study and oversight of drug-related matters. The sole function of the Select Committee is to study and recommend; it has no legislative jurisdiction. The Select Committee is empowered to make recommendations for legislative initiatives to the appropriate standing committees. Jurisdiction over narcotics and drug trafficking and related matters is fragmented among at least nine House committees including: Agriculture, Armed Services, Energy and Commerce, Foreign Affairs, Government Operations, Judiciary, Merchant Marine and Fisheries, Veterans' Affairs, and Ways and Means. Federal resources devoted to drug abuse and control are splintered with more than one hundred agencies and offices involved or having some responsibility in this area. These complex issues encompass a broad range of policy concerns including law enforcement, health care delivery, international relations, national security, the administration of criminal justice and currency and foreign transactions. To assure a coordinated congressional approach to oversight of drug related matters, the resolution mandates that at least one member of the Select Committee shall be appointed from each of the nine standing committees of jurisdiction.

The 1984 annual report of the Select Committee describes its oversight responsibility as follows:

> The Select Committee on Narcotics Abuse and Control possesses oversight, but no legislative, jurisdiction. The Committee is both a fact-finding and coordinating body. Through its hearings and other activities, the Committee provides an overview of the drug abuse problem, focuses congressional and public attention on critical drug-related issues, and supports actions by the standing committees of the House with legislative jurisdiction for narcotics abuse and control. Although not empowered to report legislation, the Select Committee recommends legislative initiatives to the appropriate standing committees and assists their legislative efforts.

ACTIVITIES OF THE SELECT COMMITTEE DURING THE 98TH CONGRESS

The activities of the Select Committee during the 98th Congress are detailed in two annual reports for 1983 and 1984 (House Report 98–598 and House Report 98–1199). As part of its annual report for 1984, the Select Committee proposed a series of recommendations to control the worldwide problems of drug abuse and drug trafficking. These recommendations outlined legislation and other initiatives needed to stem international and domestic drug production and trafficking, to provide adequate treatment and prevention services, to enhance research programs and to combat the problem of drug abuse in the Armed Services, the Department of Defense and the military services. During the course of the 98th Congress, the Select Committee held 18 hearings over 20 days and went on two study missions abroad. The annual reports submitted by the Select Committee go into detail on the hearings and study missions.

RESOLUTIONS ESTABLISHING THE SELECT COMMITTEE

94th Congress	H.Res. 1350	July 29, 1976.
95th Congress	H.Res. 77	January 11, 1977.
96th Congress	H.Res. 13	March 21, 1979.
97th Congress	H.Res. 13	February 25, 1981.
98th Congress	H.Res. 49	February 8, 1983.

SUMMARY OF PROVISIONS

House Resolution 22 is substantially the same as House Resolution 49 adopted during the 98th Congress, with the exception of the provision requiring a member from the Veterans' Affairs Committee to be appointed to the Select Committee.

Establishment

The Resolution establishes the Select Committee on Narcotics Abuse and Control in the House of Representatives.

Functions

The Select Committee would have no legislative jurisdiction. It is to conduct a continuing oversight and review of the problems of narcotics, drug and polydrug abuse and control, including but not limited to: (1) opium and other controlled substances as defined in the Comprehensive Drug Abuse Prevention and Control Act of 1970, and any drugs abused in combination with other substances; (2) domestic and international trafficking, manufacturing, and distribution; (3) treatment, prevention and rehabilitation; (4) narcotics-related violations of the Internal Revenue Code of 1954; (5) international treaties and agreements relating to control of narcotics and drug abuse; (6) the role of organized crime in narcotics and drug abuse; (7) problems of narcotics and drug abuse and control in the Armed Forces of the United States; (8) problems of narcotics and drug abuse and control in industry; and (9) the approach of the criminal justice system with respect to narcotics and drug law violations and crimes related to drug abuse. The Select Committee is also required to review recommendations made by the President or by any department or agency of the executive branch of the Federal Government relating to programs or policies affecting narcotics or drug abuse or control.

The Select Committee's authority is limited to oversight and study and its efforts are not intended to interfere with or duplicate the legislative activities of the standing committees since it has no legislative jurisdiction. The Select Committee could make recommendations for legislative action to the appropriate standing committees.

Appointment and membership

House Resolution 22 specifies that the Select Committee shall be composed of twenty-five members appointed by the Speaker, one of whom he shall designate as chairman. The Select Committee is to include at least one member from each of the following committees of the House: Agriculture, Armed Services, Energy and Commerce,

Foreign Affairs, Government Operations, Judiciary, Merchant Marine and Fisheries, Veterans' Affairs, and Ways and Means. The addition of the member from Veterans' Affairs reflects the agreement reached during floor debate on H.Res. 49 in the 98th Congress that the Select Committee's membership should include a member of the Committee on Veterans' Affairs. A Veterans' Affairs representative served on the Select Committee throughout the 98th Congress. Vacancies on the Select Committee are to be filled in the same manner as the original appointments. The broad representation from the standing committees enables the Select Committee to utilize the expertise of members who serve on committees with jurisdiction in such areas as health care, prevention, law enforcement and criminal justice, the Armed Services, international affairs, crop eradication and substitution, and governmental organization and efficiency.

Authority and procedures

The Select Committee is authorized to sit and act in the United States or abroad during the 99th Congress whether the House is in session or not and to hold such hearings as it deems necessary. This authority allows the Select Committee the ability to carry out its reponsibilities by permitting flexibility in fact gathering.

The provisions of clauses 1, 2, and 3 of Rule XI of the Rules of the House of Representatives are made applicable to the Select Committee. These three clauses of Rule XI provide general authority for and applicability of House rules to committee, outline procedures for committees, and permit broadcasting of committee hearings and meetings. This would include the power to authorize and issue subpoenas. The Select Committee, however, like most standing committees of the House, is prohibited from sitting while the House is considering a measure for amendment under the five-minute rule unless special leave is granted.

Administrative provisions

Subject to the adoption of an expense resolution as required by clause 5 of Rule XI of the Rules of the House of Representatives, the Select Committee may incur expenses in connection with its duties. This provision allows the Select Committee to hire staff, prescribe their duties, set their pay and to terminate employment. It would also allow members and staff to be reimbursed for travel expenses.

Reporting requirements

The Select Committee is required to file an annual report on its activities with the House which shall include a summary of the activities during that calendar year. The Select Committee must also report to the House the results of any field investigation or inspection it conducts. It is also required to report to the House its recommendations for a comprehensive program to control the worldwide problem of drug abuse and drug trafficking. Reports may be filed with the Clerk of the House when the House is not in session.

QUESTIONNAIRE FOR AUTHOR OF PROPOSED SELECT COMMITTEE

During the 95th Congress, the Subcommittee on Rules and Organization of the House (predecessor of Subcommittee on Legislative Process) promulgated "Guidelines for the Establishment of Select Committees." These guidelines recommended that no action be taken on a resolution to establish a Select Committee until the principal sponsors had written to the Rules Committee to request action and had provided the Rules Committee with the fullest possible discussion of information relating to the proposal. On January 24, 1985, Representatives Rangel and Gilman submitted the following responses to the questionnaire for authors of proposed select committees:

1. What is the current number of Members cosponsoring the resolution?
2. Will the proposed select committee address an issue of importance to the Nation or to the House as an institution? Please explain.
3. What standing committees may have jurisdiction over the subject matter of the proposed select committee and what portion of such standing committee/subcommittee jurisdiction will the proposed select committee include in its jurisdictional authority?
4. What justification exists for the subject to be investigated by a select committee instead of by one or more of the standing committees?
5. Will the conclusions and recommendations of the proposed select committee have a legislative purpose? Please explain.
6. Is the subject one that can be conclusively studied by the proposed select committee within one Congress? Please furnish an estimate of the time desired.
7. Will the proposed select committee require the power to subpoena witnesses and/or documents? If so, who may administer oaths? Please explain.
8. What number and type of staffing is anticipated for the proposed select committee (e.g., borrowed from other legislative committees or from Federal agencies, newly employed, professional-clerical ratio, experts and consultants, majority-minority ratio, and limits on compensation)?
9. What type of travel is anticipated (domestic and/or overseas)? If overseas travel is anticipated, what is the justification for granting such authority?
10. What is the estimate of total cost for the operation of the proposed select committee?

1. What is the current number of Members cosponsoring the resolution?

On January 3, 1985, Chairman Rangel, the Ranking Minority Member, Mr. Gilman, and 19 other Members, all of whom served on the Select Committee in the 98th Congress, introduced House Resolution 22 to reestablish the Select Committee in the 99th Congress.

We will ask other Members to join in cosponsoring the resolution after Congress reconvenes on January 21, and

we expect to receive broad support from a wide cross section of the House.

2. Will the proposed Select Committee address an issue of importance to the Nation or to the House as an institution? Please explain.

Yes. The sheer magnitude and intractability of drug abuse and drug trafficking in the United States today require that drug abuse prevention and control efforts be given the highest national priority.

During the past two years, the traffic and abuse of narcotic drugs in the United States continued to increase significantly. Sales of narcotic and psychotropic drugs yielded an estimated $110 billion in 1984 and have risen about $10 billion annually since 1978. In addition to the incalculable human suffering drug abuse causes, the social and economic costs of drug abuse—including the costs of prevention and treatment programs, drug related crime, violence, death and destruction, lost productivity and drug enforcement—approach an estimated $100 billion annually. The combination of drugs, crime and violence is considered the number one problem in America by many people.

The major drugs of abuse in the United States continue to be cocaine, heroin and marijuana. The United States is awash in cocaine. According to the Drug Enforcement Administration, seizures of cocaine have more than doubled since fiscal year 1982, from just under 5,000 kilograms (5 metric tons) to almost 12,000 kilograms (12 metric tons) in fiscal year 1984. Despite increased seizures, it is estimated that at least 85 tons of cocaine entered the United States in 1984, compared with 25 tons in 1980 and about 50 tons in 1982. As supplies of this drug have increased, prices have fallen as much as 50 percent, and purity has shot up.

Use of cocaine is the most rapidly inceasing drug problem today. No longer the elite drug of the rich and famous, cocaine is popular among all socioeconomic groups and available in virtually every geographic area of the country. Some 8–20 million people use cocaine in this country, and every day 5,000 people try cocaine for the first time. The 800-COCAINE toll-free national helpline at Fair Oaks Hospital in Summit, New Jersey, receives over 1,200 calls per day from people all over the country experiencing problems with cocaine. A recent *Ladies Home Journal* survey reported that 32 percent of the 86,000 readers surveyed under age 25 have tried cocaine. About one of every four cocaine users now commits crime to support his or her habit.

As use of cocaine has increased, the casualties from cocaine have also mounted. Hospital emergency room episodes involving cocaine more than tripled nationwide from 1978–1983 (from 2,038 to 6,893). Cocaine deaths nationally (except for New York City) rose from 70 in 1978 to 258 in 1983, a jump of nearly 280 percent. In New York City, cocaine deaths rose from 20 to 140, a seven-fold increase, from 1978-1981 (data after 1981 are not complete). Cocaine

related deaths in Washington, D.C., nearly doubled from 45 to 88 in the past year. The number of clients in Federally funded treatment programs who report cocaine as their primary drug of abuse has tripled in recent years. The nation is slowly and tragically learning that cocaine is not the safe drug it was once thought to be. One of the most powerfully reinforcing substances known to man, cocaine is truly a dangerous, addictive drug.

A startling new trend is the emergence of clandestine cocaine laboratories in the United States. Six such labs were seized in 1982, 10 in 1983, and 25 in 1984. Equally astonishing was the seizure of 1.25 metric tons of coca paste at Miami on August 22, 1984. Coca paste is so plentiful in South America that, since mid-1983, it has been offered at cut-rate prices to operators in the United States for conversion to cocaine.

Since 1979, indicators of heroin use and availability have surged dramatically and remain at high levels, fueled by the emergence of southwest Asia as a major source of heroin. In the first years of this new heroin epidemic, the increases appeared to be confined to the major cities of the northeast. Now, however, it is clear that many other parts of the country are affected as well. Nationally, heroin related hospital emergencies increased by 71 percent from 1979–1983, while heroin overdose deaths increased 93 percent from 701 in 1979 to 1,330 in 1983. The rise in these indicators has been much more dramatic in some cities, such as New York, and the nation's capital which reported 138 heroin deaths in 1984, double the 69 that occurred in 1983. Heroin purity rose from an average 3.6 percent in 1979 to 5.2 percent in 1983, and the price per milligram decreased nationwide, indicating increased availability of the drug. Heroin seizures from 1982 to 1983 increased from 230 kilograms to 350 kilograms, up more than 50 percent. The number of heroin addicts in the United States is estimated to have risen well above 500,000 during 1984. The Government estimates heroin consumption in the United States rose from about 3.4 tons in 1978 to 4.1 tons in 1983. The Select Committee believes these estimates are low. Based on evidence that about 14 tons of heroin entered the country in 1971, the peak year of the "French Connection," to support an estimated 600,000 active addicts, we believe that at least 10 tons of heroin have been coming into the country annually since 1981, particularly in view of the explosive increase in the use of heroin in combination with cocaine.

A Dramatic development is the seizure of two domestic heroin laboratories in 1983 and three through June of 1984. Moreover, the largest domestic seizure of morphine base ever made in the United States—91 kilograms—occurred last June in New Mexico. Morphine base is the primary raw material for the manufacture of heroin, and the seizure last summer was the first significant seizure of this substance in the United States in 40 years. The emergence

of a clandestine heroin and cocaine manufacturing capability in the United States is a deeply disturbing trend.

The marijuana situation has also worsened in recent years. Availability is at record levels nationwide, and the potency of both domestic and foreign product has increased significantly. The Government estimates that some 12,600–15,000 metric tons of marijuana was available in the United States in 1983, including 1,500 tons of domestically produced marijuana. The Committee has for some time questioned the Government's estimates of marijuana supply and consumption. The seizure in Mexico last November of at least 10,000 tons of marijuana believed to be headed for the United States—nearly 8 times greater than the 1,300 tons of Mexican marijuana estimated to reach our country in 1983—casts serious doubts on the Government's estimates. The Committee believes that 30,000 to 60,000 tons of marijuana is being smuggled into the United States annually, augmented by about 4,000 tons of domestically cultivated marijuana.

Domestic marijuana production has also become a major problem. In 1980, only two States reported significant marijuana cultivation; in 1981 seven States reported a problem; 24 States in 1982; 36 in 1983; and 48 in 1984. A good deal of this illicit cultivation occurs on Federal lands. The growing methods used cause substantial adverse environmental impact, and the measures taken by growers to protect their crops pose serious threats to the safety of Federal workers responsible for managing these lands and to citizens using Federal lands for legitimate purposes.

Twenty to 25 million people use marijuana regularly in the United States today, and as many as 40 million may be occasional users. The evidence continues to mount that marijuana use can cause serious impairment. The risk of harm is particularly great to young people, who constitute a large portion of marijuana users and whose ability to learn and physical and psychosocial development may be affected by marijuana use. Marijuana's impact on judgment and motor skills also threatens the safety of users and others around them in the workplace, on our highways and in many other settings.

Cocaine, heroin and marijuana are not the only drugs that present serious problems. There is also widespread abuse and trafficking in stimulants, depressants and hallucinogens such as PCP and LSD. Approximately 6.5 million Americans regularly use psychotropic drugs for non-medical purposes. In 1983, an estimated 2.7 billion dosage units of these substances found their way into the illicit market through diversion, clandestine manufacture, and smuggling from overseas. Diazepam is the most widely prescribed depressant tranquilizer used in medicine and is the most widely abused psychotropic substance. It is increasingly used as the primary ingredient in counterfeit methaqualone tablets.

One area of progress has been with methaqualone. The heavy abuse of methaqualone which developed in the late 1970's and early 1980's has been substantially reduced by curtailing supplies of the drug, much of which was manufactured clandestinely abroad and smuggled to the United States. This has been accomplished through international cooperation which has strengthened controls on precursor materials. The United States also ended legal production of methaqualone entirely in 1984.

The magnitude of drug abuse problems are beyond the capabilities of State and local governments to cope. As a result, State and local agencies are being overwhelmed by increased drug trafficking, more drug related crime and more drug criminals clogging the courts and prisons. Treatment and prevention programs are crowded beyond capacity and cannot keep up with the growing demand for their services.

The intolerable situation that many States and localities find themsleves in because of drugs was highlighted recently in a meeting of the Federation of New York State Judges. The Federation, which represents 2,000 State judges, criticized the Federal Government for failing to prevent heroin importation and called for a U.S. ban on trade and assistance to any country that permits the production and exportation of illicit opium and its derivatives. The Federation also called for Federal assistance to build more prisons and intensified enforcement of Federal drug laws to help New York State meet its increasing crime problem caused by heroin addicts and the illicit heroin trade.

On the international front, the 1984 annual report of the U.N.'s International Narcotics Control Board, released January 17, 1985, said worldwide drug abuse and related crimes have reached unprecedented levels and will continue to grow. "Illegal drug production and trafficking financed by organized crime is so pervasive," the report said, "that the economies of entire countries are disrupted, legal institutions menaced and the very security of some states threatened."

The pervasive use of drugs in the United States today and the massive underground industry that fills the demand for drugs create problems that affect every congressional district. Drug abuse and drug trafficking impair the health, safety and welfare of our citizens and undermine our social, economic and political values and institutions. The Federal Government must play a stronger role in reducing and controlling drug abuse and drug trafficking. To achieve the results we all seek, these issues must be given a much higher priority on our national agenda. Eliminating the expanding production of narcotics crops in source countries must be a top priority of our foreign policy. Our interdiction and domestic law enforcement efforts must be improved, and we must expand the availability of treatment and prevention to meet the growing

demand for these services. The Congress must continue to be involved in shaping the strategies to meet these problems and must provide the resources needed to bring these problems under control.

3. What standing committees may have jurisdiction over the subject matter of the proposed select committee and what portion of such standing committee/subcommittee jurisdiction will the proposed select committee include in its jurisdictional authority?

Drug abuse jurisdiction in the House is scattered among a multitude of standing committees. Reflecting this fragmentation of jurisdiction, and in the interest of promoting comprehensive and coordinated oversight of drug abuse issues, H.Res. 22 would require that the Select Committee's membership include at least one representative from each of nine standing committees with key aspects of drug abuse jurisdiction: the Committee on Agriculture (crop substitution and eradication); the Committee on Armed Services (drugs in the military and military assistance to civilian drug enforcement efforts); the Committee on Government Operations (oversight of narcotics interdiction and domestic law enforcement coordination, executive branch reorganization affecting drug agencies, and the overall economy and efficiency of government operations); the Committee on Foreign Affairs (international narcotics control matters); the Committee on Energy and Commerce (demand reduction including drug treatment and prevention activities carried out by the National Institute on Drug Abuse, as well as concurrent jurisdiction with Judiciary over the Controlled Substance Act (CSA) and the Drug Enforcement Administration (DEA)); the Committee on the Judiciary (drug law enforcement including DEA and the CSA): the Committee on Merchant Marine and Fisheries (Coast Guard); the Committee on Veterans' Affairs (drug treatment and rehabilitation programs for veterans); and the Committee on Ways and Means (U.S. Customs Service, tax-related aspects of narcotics trafficking investigations, and health care and facilities supported by payroll deductions).

Other committees as well exercise jurisdiction over drug-related matters. For example, during the 96th Congress, the Committee on Banking, Finance and Urban Affairs considered and reported legislation to amend the Bank Secrecy Act (H.R. 5961) pertaining to unreported movements of currency stemming from illicit drug transactions. In the 97th and 98th Congresses, the Banking Oversight and Renegotiation Subcommittee held oversight hearings on enforcement of the Bank Secrecy Act. The jurisdiction of the Education and Labor Committee includes the Alcohol and Drug Abuse Education Program within the Department of Education. That Committee's jurisdiction also includes alcohol and drug abuse in the work force and work place, a serious problem of growing concern, and encompasses other issues that bear directly on drug abuse prevention

and control such as vocational rehabilitation, juvenile delinquency and prevention, and runaway youths.

The above discussion is by no means a complete analysis of drug abuse jurisdiction within the House. Obviously, for instance, the actions of the Appropriations and Budget Committees have significant implications for the nation's drug abuse and drug trafficking prevention and control efforts. Moreover, the constantly shifting nature of drug abuse and drug trafficking continually presents new issues that affect the interests of other Committees. For example, the increasing use of Federal lands in national parks and forests for clandestine marijuana cultivation raises concerns that fall within the jurisdictions of both the Interior and Agriculture Committees. The widespread phenomenon of drug smuggling by private aircraft, frequently in violation of established air safety regulations, prompted legislative action in the 98th Congress by the Subcommittee on Aviation of the Committee on Public Works and Transportation. Indeed, the ramifications of drug abuse are so complex and cut across so many different subject areas that other committees with an interest in the problem could undoubtedly find a way to exercise jurisdiction.

Under H.Res. 22 the Select Committee on Narcotics Abuse and Control would not have legislative jurisdiction. Consequently, it would not encroach upon the legislative prerogatives of the standing committees or impede the legislative process by requiring the referral of drug-related measures to an additional committee. The Select Committee's primary mandate under H.Res. 22 would be to conduct continuing oversight and review of the problems of narcotics, drug and polydrug abuse and control. This broad authority, empowering the Committee to examine drug abuse problems in their entirety, would include, but not be limited to, the study and review of: the abuse and control of opium and its derivatives, other narcotic drugs, psychotropics, and other controlled substances as defined in the Comprehensive Drug Abuse Prevention and Control Act of 1970, and any such drug or substance when used in combination with any other substance; domestic and international trafficking, manufacturing, and distribution; treatment, prevention, and rehabilitation; narcotics-related violations of the Internal Revenue Code of 1954; international treaties and agreements relating to the control of narcotics and drug abuse; the role of organized crime in narcotics and drug abuse; problems of narcotics and drug abuse and control in the Armed Forces of the United States; problems of narcotics and drug abuse and control in industry; and the approach of the criminal justice system with respect to narcotics and drug law violations and crimes related to drug abuse. The Committee would also be authorized to review Executive branch recommendations with respect to drug abuse and to recommend legislation concerning drug abuse or control to the appropriate standing committees of the House.

4. What justification exists for the subject to be investigated by a Select Committee instead of by one or more of the standing committees?

The need for continuing, comprehensive oversight of drug abuse problems justifies reconstitution of the Select Committee at this time. As the answer to question two illustrates, drug abuse and drug trafficking remains a serious national problem and continues to grow. Responsibility for drug abuse concerns in the House, however, is divided among no fewer than 15 standing committees. This fragmentation of jurisdiction prevents any one of the standing committees from examining the issues comprehensively and inhibits a coordinated approach to drug policy questions. Moreover, the pressing demands of the standing committees' many other legislative and oversight responsibilities increase the likelihood that drug abuse issues will "fall between the cracks" due to the lack of time, resources, or expertise to focus sufficent attention on the problem.

The Select Committee was established initially in the House out of the recognition that drug abuse jurisdiction was fragmented and that combatting the serious problems posed by drug abuse and drug trafficking required full-time, comprehensive oversight. If reconstituted, the Select Committee would continue to be the only committee in either the House or the Senate whose entire efforts would de focused exclusively on oversight of drug issues. The work and expertise of the Select Committee provide a broad perspective not available through any one standing committee and support the standing committees in the performance of their drug abuse responsibilities. A return to jurisdictional fragmentation when drug abuse and drug trafficking are continuing to increase would be a major setback in the fight against drugs and would signal house indifference to comprehensive oversight of drug problems. Conversely, reestablishing the Select Committee would recognize the Committee's expertise and demonstrate the continuing commitment of the House to effective oversight of these problems.

There are two other reasons, related to the fragmentation of jurisdiction for drug abuse concerns in the House and the need for comprehensive oversight, that justify reconstitution of the Select Committee. First, the Administration's 1984 National Strategy for Prevention of Drug Abuse and Drug Trafficking signals a shift away from the traditional approach to narcotics control. This approach emphasizes a coordinated and well-balanced attack against both illicit drug supplies and drug demand through international narcotics cooperation, drug law enforcement and interdiction, in concert with drug abuse treatment, prevention, education and research. The 1984 strategy, however, emphasizes drug abuse prevention and education as the foremost objective in our nation's drug abuse control effort. This strategy, the second such document issued by

the Administration, was released in October 1984, too late for a thorough review by the 98th Congress. It is essential for the House to examine the apparent change of direction charted by the Administration's strategy. We believe the Select Committee is in the best position to conduct such a review in the 99th Congress because the Committee's broad oversight jurisdiction makes it possible to examine all elements of the strategy and their relationhip to each other.

Second, the Select Committee serves as a highly visible and accessible focal point for drug concerns in the House. The Select Committee is a point of contact for Members, their constituents and the public at large who need information or assistance about some aspect of drug abuse. Because of our comprehensive perspective, we are aware of a broad range of developments relating to narcotics in the Congress, the Executive branch, internationally and at the State and local levels. We frequently respond directly to requests for assistance or refer inquiries to the appropriate standing committees, agencies or other source that may have more complete information. We also maintain contact with outside groups that have an interest in drug abuse issues and serve as a conduit for communicating their views to Congress. Because of the importance of drug abuse issues, we believe it is important for the House to maintain the Select Committee as a visible focus for dealing with these concerns.

5. Will the conclusions and recommendations of the proposed Select Committee have a legislative purpose? Please explain.

Yes. H. Res. 22 authorizes the Select Committee "to recommend to the appropriate committees of the House legislation or other action the Select Committee considers necessary with respect to programs or policies affecting narcotics or drug abuse or control." As in the past, the Select Committee will continue to recommend legislation to the appropriate standing committees based on the findings of the Select Committee's hearings and investigations. The Committee will also continue to support in any way it can the legislative efforts of the standing committees to deal with drug abuse and drug trafficking.

In addition, the Select Committee's membership would include at least one representative from each of nine standing committees that have responsibilities for various aspects of drug abuse prevention and control within their legislative jurisdiction. This requirement establishes a direct liaison for transmitting Select Committee findings and proposals to the legislative deliberations of these standing committees.

Finally, the resolution to establish the Select Committee would again require that the Committee "report to the House its recommendations for a comprehensive program to control the worldwide problem of drug abuse and drug trafficking." The Committee's annual reports for the last two years have included extensive recommendations in ful-

fillment of this requirement, including proposals for needed legislative action.

The following are examples of the Select Committee's legislative assistance to the Congress:

International narcotics control

Because eliminating illicit narcotics crops in source countries is crucial to effective drug abuse control, Mr. Rangel and Mr. Gilman offered an amendment to foreign aid legislation in 1983 authorizing the President to suspend economic and military assistance to any nation that fails to take adequate steps to prevent illicit drugs from entering the United States. This measure passed the House Foreign Affairs Committee as part of H.R. 2992, the International Security and Development Cooperation Act of 1983. When foreign aid legislation stalled, a different version of this amendment was added in the Senate to H.R. 2915, the 1984-85 State Department authorization bill. Members of the Select Committee worked with the Senate and Members of the House Foreign Affairs Committee to obtain a compromise measure that was included in the conference report on the State Department bill and signed into law on November 22, 1983 (P.L. 98-164, section 1003).

The Select Committee's study missions to Latin America and Jamaica (August 1983) and to Asia and Europe (January 1984) confirm the need for effective sanctions to encourage greater efforts by source countries to comply with international agreements and treaties for controlling the production and trafficking of illicit narcotics.

State and Local Narcotics Control Assistance Act of 1984

The Select Committee's hearings and conferences during the 98th Congress documented the continuing rise in drug production and trafficking and the widespread use of illicit drugs. The Committee's hearings also showed that Federal efforts to curtail the flood of illicit narcotics into the country are inadequate and that as a result States and localities are being overwhelmed by drug traffic and drug abuse.

To respond to this critical situation, Mr. Rangel and 20 other Members of the Committee introduced H.R. 5990, the State and Local Narcotics Control Assistance Act of 1984. This bill authorized 750 million dollars a year in fiscal years 1986-1990 for grants to help States and localities increase their efforts to control drug abuse and drug trafficking. Grants were to be made to States on the basis of demonstrated need, taking into account the severity of drug trafficking and abuse within a State and the availability of State and local resources to resolve these problems. Funds could be used by States for six specified purposes relating to drug law enforcement and drug abuse prevention and treatment.

The 98th Congress adjourned without taking any action on H.R. 5990. The measure has been reintroduced in the 99th Congress (H.R. 526). A major objective of the Committee in the 99th Congress will be to obtain full congressional consideration of the bill.

Compassionate Pain Relief Act

During the 98th Congress, the House considered and ultimately defeated very controversial and emotional legislation to make heroin available to treat pain in terminally ill cancer patients. Members of the Select Committee were deeply involved in the debate over this bill, both in opposition to and in support of the measure.

Assistance to the standing committees

The Select Committee provided views, recommendations and information to a number of standing committees during the 98th Congress on a wide range of drug issues including: aviation drug trafficking control; drug crime measures; funding for drug abuse treatment, prevention and research programs, Coast Guard, Customs, and the State Department; and minority drug abuse concerns.

6. Is the subject one that can be conclusively studied by the proposed Select Committee within one Congress? Please furnish an estimate of the time desired.

Unfortunately, drug abuse and drug trafficking are not problems that can be resolved in the next two years. Preventing the pervasive use of drugs and controlling the widespread traffic in narcotics and other illicit substances will require the constant and continuing efforts of all segments of our society. Government at all levels, the international community, the private sector, our churches, schools, community organizations, professionals and volunteers all have important roles to play in increasing the awareness of drug abuse problems and providing the resources and commitment needed to respond to these problems effectively.

These efforts are made more difficult by the fact that drug abuse trends and drug trafficking patterns change frequently and often very suddenly. Keeping abreast of new developments in drug abuse and drug trafficking and evaluating the policies and programs that are most effective in responding to these changing circumstances require the kind of continuing, comprehensive oversight the Select Committee provides. Ultimately, if the House is to maintain a leadership role in drug abuse prevention and control, it should consider the establishment of a permanent mechanism for comprehensive oversight of drug abuse issues. Until then, it is essential that the Select Committee be reestablished to maintain this critical oversight capability.

7. Will the proposed select committee require the power to subpoena witnesses and/or documents? If so, who may administer oaths? Please explain.

Section 4(b) of H. Res. 22 provides that the provisions of clauses 1, 2 and 3 of the rule XI of the Rules of the House of Representatives shall apply to the Select Committee. This includes the authority to subpoena witnesses and/or documents provided in clause 2(m) of rule XI. The chairman of the committee or any member of the committee designated by the chairman would be authorized to administer oaths.

The power to subpoena has rarely been exercised by the committee in the past. The authority to subpoena, however, has proven useful in obtaining the cooperation of witnesses and potential witnesses in committee investigations. Because of the illicit nature of drug trafficking and drug abuse, we believe that continued authority to subpoena witnesses and/or documents is critical to the Select Committee's investigatory mandate. As in the past, the Committee would be extremely judicious in the use of its subpoena power.

8. What number and type of staffing is anticipated for the proposed select committee (e.g., borrowed from other legislative committees or from Federal agencies, newly employed, professional-clerical ratio, experts and consultants, majority-minority ratio and limits on compensation)?

During the 98th Congress, the Select Committee staff averaged 17 people and that number is expected to remain constant through 1985. The 17 staff are divided into 4 clerical and 13 professional positions, performing a variety of legal, investigative, research, and administrative duties. The ratio of majority to minority staff will also be consistent at 13 to 4 employees.

Compensation will follow the guidelines of the House as stated in section 5(b)(3) of H. Res. 22.

At the present time the Committee employs no consultants, although budgetary provisions will be made for consultants in the event it becomes necessary to seek expert advise for a particular hearing or project.

The Committee does have three detailes who are involved in its daily operation. Two are from the Government Printing Office and the third is from the Drug Enforcement Administration. These three are expected to remain with the Committee as they provide expertise otherwise unrepresented on the Committee staff.

9. What type of travel is anticipated (domestic and/or overseas)? If overseas travel is anticipated, what is the justification for granting such authority?

During the 99th Congress, the Select Committee expects to travel both domestically and internationally as new trends and regional problems come to our attention. The overseas study missions taken in the past have been effective in encouraging international cooperation to stop drug trafficking and emphasize the commitment of the Congress to stopping illicit production and trafficking. The domestic field hearings have provided the committee with valuable

firsthand information and have proven very effective in raising public awareness of drug issues.

Accordingly, the Committee has found that a few carefully planned missions outside of Washington to supplement local investigations, research, and hearings, allow better understanding of the drug problem and provide a sound overview for the recommendations the Committee makes to Congress. The Committee will work with its members to develop specific hearings and projects.

10. What is the estimate of the total cost for the operation of the proposed Select Committee?

It is estimated that the annual cost of operating the Select Committee will be $700,000. Approximately 85% of that amount will be used for staff salaries, with the remaining 15% covering daily operating expenses.

The Select Committee recognizes the need for fiscal responsibility and the necessity of achieving maximum productivity with the funds allocated by Congress. However, the cost of Committee operations is minimal when compared to the $100 billion profits generated annually by illicit drug sales and the tremendous toll drug abuse exacts from our society. The problems of drug trafficking and abuse have reached an all-time high in this country, and the comprehensive oversight role played by the Select Committee is an important step in creating an effective strategy to meet the complex challenge that drug abuse presents.

COMMITTEE ACTION

On February 26, 1985, the Committee on Rules, which has original jurisdiction over establishment of select committees, held a hearing on House Resolution 22. Testimony was heard from Representatives Rangel and Gilman. House Resolution 22 was ordered reported by voice vote, a quorum being present.

STATEMENT UNDER CLAUSE 2(l)(3) OF RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

A. Oversight statement

The committee made no special oversight findings on this resolution.

B. Budget statement

No budget statement is submitted.

C. Estimate of the Congressional Budget Office

No estimate or comparison was received from the Director of the Congressional Budget Office as referred to in subdivision (C) of clause 2(l)(3) of Rule XI.

D. Oversight findings or recommendations of the Committee on Government Operations

No findings or recommendations of the Committee on Government Operations were received as referred to in subdivision (a) of clause 2(l)(3) of Rule XI.

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